



Select Board Meeting – Amended June 5, 2020

Monday, June 8, 2020 4:30 PM

Virtual Meeting Broadcast on Comcast Channel 22 Verizon Channel 45

RECEIVED
TOWN CLERK'S OFFICE
2020 JUN -5 P 4: 16

I. Call to Order – 4:30 P.M.

TOWN OF ANDOVER, MASS

II. Opening Ceremonies

A. Moment of Silence/Pledge of Allegiance

III. Regular Business of the Board

A. Statement Against Hatred – (10 minutes)

Board to review statement against hatred and consider voting to release statement.

B. Outdoor Dining on Private Property - (20 minutes)

Board to review and consider voting to approve regulations authorizing Outdoor Dining on Private Property.

C. Closure of Barnard Street - (20 minutes)

Board to receive update on possible closure of Barnard Street to support outdoor dining.

D. Municipal Vulnerability Preparedness Program Grant - (10 minutes)

Board to review and consider authorizing the Chair to sign a letter of support for a green infrastructure grant administered by the Executive Office of Energy and Environmental Affairs' Municipal Vulnerability Preparedness Program.

IV. Adjourn

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Select Board will be conducted via remote participation to the greatest extent possible. For this meeting, members of the public who wish to watch the meeting may do so in the following manner: Andover TV COMCAST CHANNEL 22 AND VERIZON CHANNEL 45. Members of the public who wish to ask a question on particular agenda items during the meeting can do so by calling 311 from their landline or cell phone within the geographical boundaries of Andover or by calling 978-623-8311 from anywhere or by emailing manager@andoverma.gov. Residents are encouraged to email their questions ahead of the meeting, however, staff will be available to present the Board with questions received during the meeting. Please include your name and address with your question.

Every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the Town's website an audio or video recording, transcript, or other comprehensive record of the proceedings as soon as possible after the meeting.

**XI.7 TEMPORARY REGULATIONS FOR COVID-19 COMMUNITY EVENT:
LICENSES FOR OUTDOOR DINING ON PRIVATE PROPERTY**

These temporary regulations are adopted pursuant to the Resolution of the Select Board dated May 18, 2020 for the Town Manager's to-be-declared 120-day community event in response to the COVID-19 Coronavirus and the Governor's Emergency COVID-19 Order No. 35, dated June 1, 2020

OUTDOOR DINING ON PRIVATE PROPERTY:

1. The provisions of Policy XI.5 regulating outdoor dining shall apply to outdoor dining on private property except as modified or deleted herein.
2. Notwithstanding the provisions of Policy XI.5 to the contrary, the Town Manager shall have all of the powers of the Select Board to issue outdoor dining licenses (ODL) on private property.
3. Policies XI.5.4 and XI.5.8 are deleted.
4. In Policy XI.5.7, the applicable insurance limits are revised to \$1,000,000 per occurrence and \$2,000,000 in the aggregate. If the applicant's outdoor dining plan does not involve crossing any Town property, including without limitation a Town sidewalk to access the outdoor dining area on private property, Policy XI.5.7 is inapplicable.
5. The applicant shall comply with all applicable regulations of the Architectural Access Board.
6. At least 50 percent of the perimeter of any covered dining space must at all times remain open and unobstructed by any form of siding or barriers.
7. Applicants shall conduct activities under issued ODLs in accordance with all State and local social distancing requirements.

ALCOHOL BEVERAGES ON PRIVATE PROPERTY

8. If an application is made to the Select Board for approval of an extension of the licensed premises for service of alcoholic beverages onto private property, the applicant must comply with the Alcoholic Beverages Control Commission's "Guidelines For An Extension of Premises to Patio and Outdoor Areas," approved July 28, 2015.
9. Further, any such the applicant must comply with Policy XI.2.I "Section 12 Pouring License Premises: Patio and Outdoor Areas," except that if a parking lot is included in the area approved by the Select Board as an extension of the premises, paragraph 7 of said policy shall not apply to the approved area.
10. Applicants shall conduct activities according to all State and local social distancing requirements.

DURATION

Pursuant to the Governor's Order, on November 1, 2020 or the date the Governor's Order is rescinded, whichever is sooner, any approval and ODL issued under this Policy XI.7, and any amended alcoholic beverage license issued by the Select Board as a result of the Governor's Order, shall be rescinded.

Motion for Outdoor Dining on Private Property

I move that the Board vote to adopt Policy XI.7 TEMPORARY REGULATIONS FOR COVID -19 COMMUNITY EVENT: LICENSES FOR OUTDOOR DINING ON PRIVATE PROPERTY as presented today.

Municipal Vulnerability Preparedness Program Action Grant Application for Parking Lots 1 & 2

As you may know, the Planning Department and Board has been working on a grant application for green infrastructure to be added to a construction contract for the redevelopment of Lots 1& 2. You will likely get an update at your next meeting and the Planning Department will update us on the Planning Board the next day. Here are a few points about it (Lisa Schwartz has developed a more comprehensive update for your meeting):

The Town is redeveloping Lots 1 & 2 behind Old Town Hall. We have two approaches under consideration, one which handles stormwater in a conventional fashion and one which uses "green infrastructure".

The existing conditions at the site are that there are approx. 2 acres with 95% coverage by asphalt paving, with deep sump catch basins but otherwise no stormwater management. Roger's Brook runs in a 84" culvert along the southern edge of the lots; the culvert diverts approx. 50% of the stream through downtown. The brook is a significant tributary to the Shawsheen. In 1998 the Shawsheen and tributaries were placed on the State's list of water quality impaired water bodies for bacteria. While illicit sewer connections were the main problem during low flow conditions, in a high flow event, stormwater runoff becomes the source component of greatest significance. Under a 500-year storm event, flooding will occur along the southern edge of the area, particularly impacting Lot 2.

The contract as currently conceived will call for centralized parking for Main Street shopping and dining, handicapped parking near Main, sidewalk connectivity along public streets and public realm spaces for resting and gathering with completely updated paving and design. It uses "best management practices" for storm water management which would be a significant update to existing conditions.

We are applying to the Executive Office of Energy and Environmental Affairs' Municipal Vulnerability Preparedness Program for a grant and this opportunity provides us with a chance to improve upon the baseline contract.

The green infrastructure approach, an add-on to the contract, would use **more street trees** to provide shade and reduce the heat island effect than the baseline contract would. In addition, the lots would use **bioretention soils/cells and rain gardens** of plantings to collect, treat, store and infiltrate stormwater in place. Overflow would discharge into the stormwater drainage system. It would replace some of the catch basins and drainage pipes. The design work is currently being done by GPI (Green-Pedersen, Inc).

Public outreach has and will continue to occur throughout the process. When complete, onsite signage will explain the design elements, and the Town plans a public celebration.

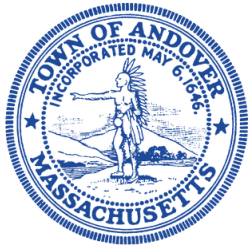
We have prepared a draft letter of support for the Select Board to consider signing at your next meeting. We have prepared a more detailed letter from the Planning Board, given the Board's

role in the project, but you may want to revise this draft similarly, to reflect the points that you think the Select Board should be making.

We hope to have all letters signed and returned to Joyce Losick-Yang by Tuesday morning, as the submission to the State will be made shortly after that.

Thank you in advance for your help and support,

Ann Knowles
Planning Board



TOWN OF ANDOVER

36 Bartlet Street
Andover, MA 01810
(978) 623-8215
www.andoverma.gov

June 9, 2020

Ms. Kara Runsten, MVP Program Manager
Executive Office of Energy and Environmental Affairs (EEA).
100 Cambridge Street
Suite 900
Boston, MA 02114

Dear Ms. Runsten:

The Select Board of the Town of Andover strongly endorses the Town's Municipal Vulnerability Action Grant proposal for Public Parking Lot 1 (behind the Old Town Hall at 20 Main Street) & Lot 2 (Park Street.)

The Select Board has made sustainability a priority for Andover, and our new Sustainability Coordinator is doing an excellent job guiding the town through the process of thinking strategically about climate change and the challenges it poses for our community. The MVP round table sessions brought together people with many perspectives—town leaders, department heads, residents, utility representatives and others—to identify priorities.

The Town identified this project as a high priority during the MVP Planning Grant process. The new redesign of the parking lots to include green infrastructure allows for a better pedestrian environment and improved connectivity throughout town, as well as better shade conditions and reduced summertime temperatures in the lots for vehicles and people. Green infrastructure methods, such as rain gardens, will be used onsite. The central location of this project will enable it to be a springboard for community conversation and awareness about nature-based solutions to climate change impacts. Andover has been a Green Community for a number of years, working hard on energy conservation, building code changes, and solar energy. The MVP Program offers a framework for additional progress, and we look forward to partnering with the state as we work to reduce our vulnerability to climate change.

Regards,

Laura M. Gregory, Chair
Andover Select Board

Motion for Municipal Vulnerability Preparedness Program Action Grant Application

I move that the Select Board authorize the Chair to sign a letter in support of the Town of Andover's Municipal Vulnerability Action Grant Proposal.